

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 23-10733-SPG-E

Date February 1, 2024

Title Adam Loew v. Janice Greenberg et al

Present: The Honorable	SHERILYN PEACE GARNETT
	UNITED STATES DISTRICT JUDGE

Patricia Gomez	Not Reported
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Deputy Clerk	Court Reporter / Recorder
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Attorneys Present for Plaintiff:	Attorneys Present for Defendants:
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Not Present	Not Present
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Proceeding: (IN CHAMBERS) ORDER

Plaintiff is **ORDERED** to show cause why all claims brought on behalf of parties other than Plaintiff himself should not be dismissed under *C.E. Pope Equity Trust v. United States*, 818 F.2d 696 (9th Cir. 1987), which makes clear that 28 U.S.C. § 1654 permits parties to “plead and conduct their own cases personally” only when they are “the real party in interest.” *C.E. Pope Equity*, 818 F.2d at 697. “Although a non-attorney may appear *in propria persona* in his own behalf, that privilege is personal to him.” *Id.* As a result, a self-represented litigant “has no authority to appear as an attorney for others than himself.” *Id.* This rule extends to claims seeking relief on behalf of a self-represented litigant’s child: “a parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer.” *Johns v. Cnty. of San Diego*, 114 F.3d 874, 877 (9th Cir. 1997).

Plaintiff’s First, Second, Third, Fourth, Fifth, Sixth, and Seventh Causes of Action all seek relief on behalf of Student A and similarly situated students.¹ Accordingly, the Court, on its own motion, orders Plaintiff to show cause, in writing, on or before March 4, 2024, why Plaintiff’s First, Second, Third, Fourth, Fifth, Sixth, and Seventh Causes of Action should not be dismissed under *C.E. Pope Equity Trust*. If Plaintiff wishes to seek relief on behalf of his child, he must retain counsel to file any amended complaint. See *Johns*, 114 F.3d at 877. An extension of time will be granted upon a showing of good

¹ Plaintiff appears to seek relief on his own behalf for one unnumbered claim for a violation of California Educational Code Sections 51100–51102. (ECF No. 9 at 35).

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cause. If Plaintiff elects not to do so, these causes of action will be dismissed without prejudice.

IT IS SO ORDERED.

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